

REMARKS

This Request for Reconsideration is offered in response to the Official Action dated December 20, 2005. In that Action, claims 1-18 were rejected under 35 USC §102(b) as being anticipated by Ruppi (U.S. Patent 5,700,569) on the basis that "Ruppi discloses the claimed alternating layers with the claimed layers underneath, close to the claimed substrate." (Paragraph 2.)

This rejection is traversed. In order to qualify as a reference sufficient for application under 35 USC §102(b), that reference must disclose each and every limitation of the claims. In this instance, the reference falls far short of that exacting requirement.

Claim 1 of the present application requires: A coated cemented carbide cutting tool insert, said coating comprising: a first, innermost layer system of at least two layers of $\text{TiC}_x\text{N}_y\text{O}_z$ with $x+y+z \leq 1$; and a second multilayer system comprising from about 5 to about 31 alternating layers of Al_2O_3 and $\text{TiC}_x\text{N}_y\text{O}_z$ ($x+y+z \leq 1$), the Al_2O_3 -layers having an individual layer thickness of $<0.5 \mu\text{m}$ and the $\text{TiC}_x\text{N}_y\text{O}_z$ -layers from about 0.01 to about $0.2 \mu\text{m}$ with a total thickness of the multilayer from about 1.0 to about $4.0 \mu\text{m}$, and wherein the multilayer is exposed along the edge line and into the rake and flank face, such that the exposure on the rake face (a) is greater than about 0.03 and less than about 0.9 mm , the exposure on the flank face (b) is greater than about 0.02 and less than about 0.2 mm and $a > b$.

Not only is there a compositional requirement of the first and second multilayer systems, there are requirements as to exposure of the multilayer on the rake and flank faces of particular amounts and of a certain ratio between those exposures.

These requirements are not found in the cited reference. Thus, for this reason alone, the rejection is improper and should be withdrawn.

In addition, as shown in the Examples in the present specification, the inserts of the present invention having the claimed exposures out-performed coated inserts with some, but not as claimed, exposures. See Inserts A and F versus Inserts B-E and G.

Withdrawal of the ground of rejection and early allowance of claims 1-18 is earnestly solicited.

Should any questions arise in connection with this application, or should the Examiner believe a telephone conference would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he should be contacted at the number indicated below.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully Submitted,

Date:
DRINKER BIDDLE & REATH LLP
Customer No. 55694
1500 K Street, N.W., Suite 1100
Washington, D.C. 20005-1209
Tel. No.: 202-842-8800
RLG:mk

By: Ronald L. Grudziecki
Ronald L. Grudziecki
Registration No. 24,970
Tel. No.: (202) 842-8802
Fax No.: (202) 842-8465